

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KIM HEITERT,

Plaintiff,

vs.

MENTOR CORPORATION,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No. 4:07-CV-1511 (JCH)

ORDER

The matter is before the Court on Plaintiff's Motion for Voluntary Dismissal (Doc. No. 8). The Court previously held that Plaintiff may voluntarily dismiss this action on the condition that she pay Defendant \$8,384.30 if this case is refiled. (Order of November 28, 2007, Doc. No. 15). Due to this condition, the Court gave Plaintiff time to withdraw her motion to dismiss. (Id.). Plaintiff has informed the Court that she still seeks a dismissal. (Doc. No. 17).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Voluntary Dismissal (Doc. No. 8) is **GRANTED** and Plaintiff's Complaint is dismissed without prejudice.

IT IS FURTHER ORDERED that this dismissal is conditioned on Plaintiff paying Defendant \$8,384.30 should she refile this action. A separate order of dismissal will accompany this Order.

Dated this 10th day of December, 2007.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE